

REMARKS

Claims 1-19 are pending. Claims 1, 4 and 13 have been amended. No new matter has been added. Claim 1, 4 and 13 have been amended to include the feature of “detecting a stop trigger.”

Claims 1 and 2 were rejected under 35 USC 102(e) as being anticipated by Zigmond, U.S. Patent No. 6,692,020. This rejection is respectfully traversed. Applicants respectfully assert that none of the cited references, taken alone or in combination, disclose the feature of “detecting a stop trigger.”

Applicants assert that Zigmond only teaches the steps of waiting for a trigger, activating a video switch to display an advertisement, and monitoring user response. Applicants further assert that the trigger of Zigmond is only used to initiate display of a selected advertisement and does not function as a stop trigger. For example, Zigmond discloses the following:

“Video switch 68 may be actuated at an appropriate time indicated by a triggering event delivered by advertisement trigger source 70.” (Col. 8, lines 36-38.)

“Ad insertion device 80 includes means for detecting a triggering event indicating an appropriate time to display the selected advertisement.” (Col. 15, lines 35-37)

“When switching decision unit 88 identifies the presence of a triggering signal, whether actual or implied, it prompts video switch 90 to interrupt display of the video programming feed and to insert in its place the selected advertisement from advertisement repository 86.” (Col. 15, lines 57-61.)

Thus, Zigmond only teaches the use of one trigger and that one trigger is used to determine the timing of advertisement insertion. The trigger of Zigmond is not used to indicate the conclusion of any process and therefore, the trigger of Zigmond cannot be considered a “stop trigger.” Thus, the detection of an advertisement insertion trigger in Zigmond does not teach the claimed feature of “detecting a stop trigger.”

For at least the reasons given above, Zigmond does not teach all of the claimed features of claims 1, 4 and 13. Therefore, Applicants request that the rejection of these claims be withdrawn.

Applicants respectfully submit that they have shown the patentability of at least the independent claims. Accordingly, all dependent claims are themselves patentable insofar as they depend from patentably distinct independent claims. The Applicants make this assertion without reference to the independent bases of patentability contained within each dependent claim. Accordingly, the Applicants respectfully request the Examiner withdraw the rejections and allow all pending dependent claims.

Claims 4 and 5 were rejected under 35 USC 103(a) as being unpatentable over Zigmond in view of Alexander, U.S. Patent No. 6,177,931. Claim 13 was rejected under 35 USC 103(a) as being unpatentable over Zigmond in view of Shah-Nazaroff, U.S. Patent No. 6,317,881. Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Zigmond as applied to claim 1, and further in view of Hite, U.S. Patent No. 6,002,393. Claims 14, 16 and 18 were rejected under 35 USC 103(a) as being unpatentable over Zigmond as applied to claim 1, and further in view of Scarampi, U. S. Patent No. 4,931,865. Claims 15 and 17 were rejected under 35 USC 103(a) as being unpatentable over Zigmond as applied to claim 1, and further in view of Lu, U.S. Patent No. 5,771,307. Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Zigmond and Alexander as applied to claim 4 above, and further in view of Hite. Claim 19 was rejected under 35 USC 103(a) as being unpatentable over Zigmond as applied to claim 1 above, and further in view of Henderson, U.S. Patent No. 5,603,078. These rejection are respectfully traversed for at least the reasons given above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 577172000200.

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Respectfully submitted,

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